

Continuing Education Requirements and Q & A

A Licensed Site Professional must renew his or her license every 3 years. As part of the license renewal process, an LSP must submit evidence that he or she has fulfilled the continuing education requirements set forth in the Board's regulations at 309 CMR 3.09. While a complete copy of 309 CMR can be found elsewhere on this website, the continuing education requirements it prescribes are summarized here.

The current continuing education requirements to renew a license every 3 years are as follows:

1. **48 total credits:** Every three years each LSP must earn a minimum of 48 continuing education credits. These credits can be earned only by attending Board-approved courses, conferences, or conference workshops, or by taking Board-approved Internet courses.
2. **12 of the 48 credits must be earned by taking "DEP Courses":** The full definition of "DEP Course" is set forth in the Board's regulations at 309 CMR 3.09(1). Generally speaking, it is a course designed for LSPs taught in whole or in substantial part by staff at the Department of Environmental Protection (DEP). It could be either a "Regulatory" or a "Technical" course. To qualify, the Board must approve it as a "DEP Course." In addition, the Board in its discretion may also classify as a "DEP Course" a course taught in whole or in substantial part by the LSP Board and/or its staff. (The Board's own *Professional Conduct Course* is such a course.)
3. **8 of the 48 credits earned must be classified as "Regulatory":** The Board classifies all LSP continuing education credits (even ones earned at "DEP Courses") as either "Regulatory" or "Technical." Every three years, an LSP must earn a minimum of 8 "Regulatory" credits. The remaining 40 credits may be either Technical or Regulatory credits. (There is no minimum number of Technical credits an LSP must earn.) The Board will classify a course as "Regulatory" if it focuses directly on the legal and regulatory requirements applicable to LSPs when they perform, supervise, and/or coordinate response actions at 21E sites.

Important Note: If an LSP takes a DEP Course that is classified as "Regulatory," the credits earned can be counted towards **both** the 12-credit DEP Course requirement (#2 above) and the requirement to obtain 8 Regulatory credits (#3 above). Thus, for example, if an LSP has earned 8 DEP Course/Regulatory credits, he or she must obtain 4 more DEP Course credits from any DEP Course (Regulatory or Technical) to meet requirement #2 above. But this LSP has already met

requirement #3 above because he or she has earned 8 Regulatory credits from this course. These 8 DEP Course/Regulatory credits also count as 8 credits (not 16) towards the overall 48-credit requirement (#1 above).

Q & A

1.Q: If I earn more than 48 credits in one 3-year renewal period, can I “carry over” the extra credits and use them in the next renewal period?

A: No. This is specifically prohibited by the Board’s regulations at 309 CMR (2), which states: *“No person may apply continuing education credits earned during one license period toward another license period.”* Given how rapidly changing the technical and regulatory aspects of this program are, the Board wants LSPs to obtain at least 48 continuing education credits every 3 years.

2.Q: Is it okay to pick up all my credits in the last year of my 3-year renewal period?

A: Technically, yes. But it is **not a good idea** to wait until your 3rd year to begin earning credits because you may not find enough approved courses available, especially DEP Courses. DEP has no obligation to offer any number of courses each year. Instead, DEP gives courses when new 21E regulations come out or when it has another good reason to offer training to LSPs. In some years, DEP offers little or no training. Therefore, LSPs are strongly advised to take DEP Courses **whenever they become available**. Over a 3-year period, LSPs should not have trouble attending a day and a half (12 hours) of DEP Courses. But an LSP who waits until the 3rd year to begin obtaining the DEP Course credits he or she needs may find that insufficient DEP Courses are available.

3.Q: What happens if I do not have enough credits to renew my license at the end of my 3-year renewal period?

A: Unless you are eligible and apply for a 90-day extension (see below), your license will lapse at the close of business on the date of expiration of your license. In that event, you would be prohibited from acting as, advertising as, holding yourself out to be, or representing yourself as being an LSP. Thereafter, you would have one year from your expiration date to obtain the credits you need and renew your license. See 309 CMR 3.06(3).

4.Q: How can I obtain a 90-day extension to obtain the credits I need to renew my license?

A. Not every LSP can obtain a 90-day extension. Such extensions are designed to give a little extra time to LSPs who need only a few more credits to renew. According to the Board’s regulations at 309 CMR 3.06(4), you must have earned at least 36 continuing education credits to be eligible for a 90-day extension. If you meet that requirement, you

must apply to the Board for a 90-day extension using the license renewal forms that are mailed to you by the Board.

5.Q: How does a course become “approved” by the LSP Board for credit?

A: Either an LSP or the provider of a potentially qualifying course may seek Board approval for the course by sending in a written request. A complete request for approval of a course must include a written course outline or syllabus, descriptions of the instructors’ credentials, and all the other information described in the Board’s regulations (elsewhere on this website) at 309 CMR 3.09(6). The sponsoring organization must agree to maintain a record of attendance.

6.Q: How can I find out what courses, conferences, conference workshops, and Internet courses, have been approved for credit?

A: This information has been posted elsewhere on the Board’s website. Go to “*Current List of Board Approved Continuing Education Courses.*” You may also contact the Board’s Continuing Education Coordinator, Al Wyman, at 617-292-5556 or at Allen.Wyman@state.ma.us

7.Q: Can an approved course contain both Regulatory and Technical components and award some credits in each category?

A: Yes.

8.Q: I have just been approved to take the exam. Before passing the exam, may I earn continuing education credits that I can use towards my first license renewal?

A: Yes. Once an applicant has been approved to take the exam, he or she may earn continuing education credits that can be utilized at the initial license renewal. This is specifically permitted by the Board’s regulations at 309 CMR 3.09(2)(a).

9.Q: I have other questions about Continuing Education Requirements. Who should I contact?

A: You should contact the Board’s Continuing Education Coordinator, Al Wyman, at 617-292-5556 or at Allen.Wyman@state.ma.us